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SUBJECT: NCP Favors Technical Assistance on Post-2011 Negotiations,
Not International Mediation

CLASSIFIED BY: Robert E. Whitehead, Charge d'Affaires; REASON:
1.4(B), (D)

¶1. (SBU) Summary: Saeed El Khatib, Director of the National congress party's (NCP) Center for Strategic Studies, told CDA on February 2 that he and Government of Southern Sudan (GOSS) Minister for Presidential Affairs Luka Biong Deng have decided on a Naivasha-style process, absent a mediator or facilitator, for resolution of post-2011 issues. Both parties will appoint three or four teams, which will draw on a pool of technical assistance offered by the international community. Khatib does not see the Assessment and Evaluation Committee (AEC) functioning as a secretariat for the process, in part because he believes that such a role would make the international community a party to a process their role is to oversee. Khatib claimed that Luka was to have sought Sudan People's Liberation Movement (SPLM) approval for this approach in Juba last week, following which preliminary meetings will begin. Khatib clearly has the lead on post-2011 issues for the National Congress Party (NCP), but we do not think that he speaks for the SPLM or the GoSS. End Summary.

¶2. (SBU) Charge met on February 2 with Sayeed El Khatib, Director of the NCP's Center for Strategic Studies. How to handle post-2011 issues is the most important issue facing the parties at the present time, Khatib said. Fully three years ago, as NCP representative to the AEC, he had suggested that the referendum law include not just the mechanics of the referendum but also post 2011 arrangements. When the SPLM representative disagreed, the international community "went along with that point of view," which weakened his hand with his own party, and the issue was dropped.

¶3. (SBU) Now, it was dawning on the SPLM that these issues are of great importance to them and must be resolved, and offers of seminars and other assistance were coming in, Khatib said. The offers often focus primarily on a mediation or facilitation role for the international community, he noted, but from the Naivasha experience, it was clear to him that there is insufficient time for the modalities of a full-blown mediation. He claimed that he, Luka Biong Deng, GOSS Minister for Presidential Affairs, and Mansour Khalid have agreed that the best approach is for the parties to engage directly on the issues. When help is needed, they will reach out to a pool of experts available to both parties, or to the international community to provide one party with an expert with a specific type of expertise, a process that would also help keep the international community informed and avoid what they might otherwise view as "surprises." Luka was planning to vet this proposed process in Juba at the end of last week, after which preparatory meetings would begin, Khatib said. Then, sitting as a preparatory committee, he and Luka will list the issues to be addressed, and nominate members of their respective teams.

¶4. (SBU) As to the question of what role the AEC might play in the process, Khatib told the CDA that the concept of using the AEC as a secretariat to the parties could, in the end, be problematic for the AEC itself. It would put the international community in the position of having been a party to the very solutions they are trying to oversee. He thought it likely, however, that the parties would approach AEC members with requests for technical experts or research papers on some issues.

¶5. (SBU) As to the plethora of institutions and international partners offering help, Khatib noted that the most useful offers are to provide technical assistance. Chatham House's seminars have been informative for some people, he said, but the advice has not always been tailored to specific needs. In addition, he said, it sometimes comes in the form of "In light of what we heard in Juba, we recommend...." Khatib praised Humanity International, which he said had been involved in Sudan since Naivasha, as a group that produces well-thought out analysis and advice. Similarly, the wealth-sharing expert funded by the Norwegians has interacted in an unbiased, balanced fashion with both sides. On power-sharing, Khatib mused, the parties will need an authoritative resource person, probably an expert on international law; one of the Chatham House experts is "good", he said.

¶6. (C) Comment: Khatib clearly has the lead on post-2011 issues for the NCP. His remarks confirm what we have been hearing from

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other NCP sources. We are skeptical that he has accurately portrayed SPLM willingness to adopt a technical assistance rather than mediation formula for negotiation. We have heard from other sources that the SPLM favors some as yet undetermined sort of outside mediation/facilitation to even the playing field with the NCP, which enjoys a much deeper bench than the SPLM.
WHITEHEAD